IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 7292 of 2007(R)

PETITIONER:

DEEPA.A. ANCHUPLAKKAL,
CHITTAR, SEETHATHODU, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY, KERALA HIGHER SECONDARY EDUCATION, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE KERALA PUBLIC SERVICE COMMISSION, REPRESENTED BY ITS SECRETARY, PATTOM P.O. THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.A.J.VARGHESE
ADV.SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER,J

W.P.C.No.7292 OF 2007

Dated this the 19th day of March, 2007

JUDGMENT

Petitioner had applied for the post of Higher Secondary School Teacher in response to the notification issued by the Kerala Public Service Commission. According to her, she had been expecting to get a call from the Commission for interview. But surprisingly, she received Ext.P8 communication from the Commission informing her that her application had been rejected since she had not produced the documents which were called for by the Commission. It is contended by the petitioner that she had not received any such communication from the Commission directing her to produce any document. It is in the above circumstances that the petitioner has preferred this writ petition.

2. Learned standing counsel Sri.P.C.Sasidharan submits that the petitioner is guilty of suppressing the fact that a communication had been issued by the Commission directing her and other similarly placed applicants numbering about 320 requesting to produce certificates and other relevant documents. Ext.R2(a) is stated to be a specimen of such a communication.

Petitioner has asserted that she did not receive the said communication. Learned counsel submits that if the petitioner had received the same, she would not have failed to produce the documents. There is nothing on record that the petitioner had been served with Ext.R2(a) communication.

3. In the peculiar facts and circumstances and particularly since learned standing counsel submits that the short list has not finalised so far, I am satisfied that petitioner can be given an opportunity to produce the relevant documents. Therefore the writ petition is disposed of with a direction that petitioner shall produce the documents which have been requisitioned by the Commission from her within three days from today. If those documents are produced, it will be open to the Commission to consider the case of the petitioner along with other applicants.

A.K.BASHEER.
JUDGE

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